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December 17, 2021

VIA ECF

Honorable Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: Angel Garcia v. C.O. Palmenteri, et al.
19 Civ. 7441 (KPF)

Your Honor:

I am a Senior Counsel in the Office of the Corporation Counsel of the City of New York, and the attorney assigned to the above-referenced matter. Defendants write to respectfully request that this matter be stayed and a corresponding adjournment, *sine die*, of all pending deadlines and conferences until the matter of plaintiff's estate is resolved.

On December 15, 2021, the undersigned received an email from an individual representing herself to be the girlfriend of plaintiff informing the undersigned that plaintiff passed away on or about December 7, 2021.¹

On December 16, 2021, the undersigned confirmed with the Office of the Chief Medical Examiner of the City of New York ("OCME") that OCME possessed a record that established a date of death of December 7, 2021 for an individual with plaintiff's name and date of birth.

In order to permit sufficient time to resolve issues concerning the estate of plaintiff, defendants respectfully request that the Court stay this matter and adjourn, *sine die*, all pending deadlines and conferences, including the pretrial conference scheduled for January 14, 2022.

Defendants will mail a copy of this application to the address of record for plaintiff, together with an attachment of same to the email address referenced above.

¹ Upon the request of the Court, defendants will furnish to chambers a copy of the email from this individual.

Defendants thank the Court for its consideration in this regard.

Respectfully submitted,

Corey S. Shoock /s

Corey S. Shoock
Senior Counsel
Special Federal Litigation Division

cc: Angel Garcia (By Mail)
Plaintiff, Pro Se
2523 Tenbroeck Ave., Basement Apt
Bronx, New York 10469

Roxanne Mosaphir (By Email)
roxannemosaphir72984@gmail.com

For the reasons stated in Defendant's above letter, the Court directs the Clerk of Court to terminate all pending motions, adjourn all remaining dates, and STAY this case pending future order of the Court. The Court further directs the Clerk of Court to mail a copy of this endorsement to Plaintiff's address of record.

The Court directs Defendant to provide a status update every four months. The Court also directs Defendant to email a copy of this endorsement to the person who alerted Defendant to Plaintiff's passing.

SO ORDERED.

Dated: December 17, 2021
New York, New York



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE